

REMARKS

Claims 1-17 are pending in this application. By this Amendment, independent claims 1, 10 and 15 are amended to further distinguish over the applied references. Support for the amendments to claims 1, 10 and 15 can be found, for example, in Figs. 13-15 of the application. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1-14, 16 and 17 under 35 U.S.C. §102(b) over Stier, WO 99/47362 A1. The rejection is respectfully traversed.

Stier does not disclose a package member having a flap member in which, when the flap member is in an open state, a topside of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, as recited in independent claim 1 and similarly recited in independent claim 10.

Stier discloses a paper cartridge that is foldable between open and closed states (see Figs. 4, 5 and 7). The paper cartridge in Stier is composed of a paperboard blank 20 that has a top panel 24, a bottom panel 22 and locking flap 26 (see Fig. 8 and page 4, lines 17 and 18). Locking flap 26 can be inserted into slot 36 to fix the paper cartridge in an open state (see Fig. 8). However, as seen in Fig. 7 of Stier, the top panel 24 of the paper cartridge does not completely cover and completely extend along an edge where flap 26 is disposed when flap

26 is in an open state. Therefore, Stier does not disclose a package member having a flap member in which, when the flap member is in an open state, a topside of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, as recited in independent claim 1 and similarly recited in independent claim 10. Therefore, independent claims 1 and 10 and dependent claims 2-9, 11-14, 16 and 17 are patentable over Stier. Thus, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claim 15 under 35 U.S.C. §103(a) over Stier in view of Ishiduka et al. (Ishiduka), U.S. Patent No. 6,217,019. The rejection is respectfully traversed.

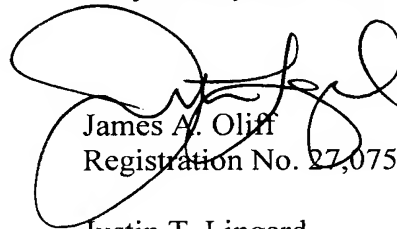
The combination of Stier and Ishiduka does not disclose, and would not have rendered obvious, a package member having a flap member in which, when the flap member is in an open state, a topside of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, as recited in independent claim 15.

As discussed above, the top panel 24 of the paper cartridge of Stier does not completely cover and completely extend along an edge where flap 26 is disposed when flap 26 is in an open state. Therefore Stier does not disclose all of the features of independent claim 15. Ishiduka fails to overcome the deficiencies of Stier, and is only cited for disclosing the claimed indicator part. Therefore, the combination of Stier and Ishiduka does not disclose, and would not have rendered obvious, a package member having a flap member in which, when the flap member is in an open state, a topside of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, as recited in independent claim 15. Therefore, independent claim 15 is patentable over the combination of Stier and Ishiduka. Thus, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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